

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ASHLEY S. EBANKS,		:
		:
Plaintiff,		:
		:
-v-		:
		:
ANDRE L. BROWN and PERFECT TIMING		:
TRANSPORT LLC,		:
		:
Defendants.		:
-----X		:

25-CV-1181 (JMF)  
ORDER

JESSE M. FURMAN, United States District Judge:


On February 10, 2025, Defendants filed a Notice of Removal in which they invoked the Court’s subject-matter jurisdiction pursuant to 28 U.S.C. § 1441(c). *See* ECF No. 1, at ¶ 8. On February 13, 2025, the Court issued an order noting deficiencies in the Notice of Removal and ordering Defendants to file an amended notice on or before February 20, 2025. *See* ECF No. 6. On February 18, 2025, Defendants filed an Amended Notice of Removal. *See* ECF No. 8.

Although Defendants’ Amended Notice of Removal cures one deficiency in the original Notice, it still alleges only the residency, not the citizenship, of Defendants. *See* ECF No. 8, at ¶¶ 6, 7. As stated in the Court’s February 13, 2025 Order, that is not enough. *See Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996) (“[A] statement of the parties’ residence is insufficient to establish their citizenship”).

The Court will give Defendants one last chance to fix the problems with their Notice. Accordingly, Defendants are hereby ORDERED to file a Second Amended Notice of Removal alleging the citizenship of Defendants on or before **February 26, 2025**. If, by that date, Defendants are unable to amend their Notice of Removal to truthfully allege complete diversity of citizenship, then the action will be remanded to the Supreme Court of New York, County of Bronx, without further notice to either party. Finally, Defendants are directed to, **within two business days** of this Order, serve on Plaintiffs a copy of this Order and to file proof of such service on the docket.

SO ORDERED.

Dated: February 19, 2025  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge